

REMARKS/ARGUMENTS

I. Elections/Restrictions

The applicant acknowledges restriction of the current prosecution to claims 1-15, and withdrawal of non-elected claims 16-20.

II. 35 USC 112

Claims 1 and 11 were objected to with respect to the phrases "an conduit" and "the n-line source." Those are typographical errors, and have been corrected to read "a conduit" and "the in-line source" respectively.

Claim 3 was objected to with respect to the phrase "conduit". That issue has been resolved by insertion of the article "the" before "conduit".

III. 35 USC 103

The Office rejected claims 1-6, 10, and 12-15 as being obvious over Kown (US 6453799) in view of Laroussi (WO 5876663). The applicant traverses those rejections, especially in view of amendments herein.

The Kown reference is readily distinguished. Kown teaches a cup beverage dispenser in which water is ozonated or otherwise electrolyzed using electrodes. That process necessarily alters the chemical composition of the water, namely ozonating the water. The present claims circumvent Kown by specifying that the product liquid is treated without altering the chemical composition of the liquid.

The Laroussi reference is also readily distinguished. In commercially realistic plasma generators, the plasmas are produced in a narrow space between two electrodes. Indeed, Laroussi allows that the gap can extend only to about 5 cm. (see Laroussi spec, col. 3, lines 66-67). Laroussi goes on to assume that the liquid being treated must actually flow in that space, and because of the narrowness of the space assumes that the liquid can be present only at a depth of up to about 2cm. The current inventors have appreciated that the fluid can be treated outside that space, which allows for much greater flow, and a much more viable unit.

Indeed, it is apparent from the background and general discussion in Laroussi, that Laroussi is focusing on absolute sterilization of water. That focus is not shared by the presently claimed invention, which allows that some small percentage of microorganisms (e.g. up to about 1%) could survive. There is simply no teaching, suggestion, or motivation in the cited art that would have led one of ordinary skill in the art to try to treat the water in the fashion recited by the current claims.

Claims 7-9 were rejected as being obvious over Kown '799 in view of Laroussi '663 and Leski (US 6609687). The addition of Leski is, however, irrelevant because claims 7-9 are allowable by virtue of their dependency on allowable claim 1.

Claim 11 was rejected as being obvious over Kown '799 in view of Laroussi '663 and Posner et al. (US 5651887). The addition of Posner is irrelevant because claim 11 is allowable by virtue of its dependency on allowable claim 1.

Conclusion

Claims 1-15 of the pending claims are allowable over the cited art. The rejections should be withdrawn, and all pending claims deemed allowable.

Respectfully submitted,
RUTAN & TUCKER

By 
Robert D. Fish

Reg. No. 33880

Rutan & Tucker, LLP
611 Anton Blvd., 14th Floor
Costa Mesa, CA 92626-1931
Telephone (714) 641-5100
Fax (714) 546-9035